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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FIFTH APPELLATE DISTRICT**

THE PEOPLE,

Plaintiff and Respondent,

v.

JOSE MADRIGAL PAZ,

Defendant and Appellant.

F064521

(Super. Ct. No. MF48046)

**OPINION**

**THE COURT\***

APPEAL from a judgment of the Superior Court of Merced County. John D. Kiriara, Judge.

Barbara Michel, under appointment by the Court of Appeal, for Defendant and Appellant.

Office of the State Attorney General, Sacramento, California, for Plaintiff and Respondent.

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\* Before Kane, Acting P.J., Detjen, J. and Peña, J.

## **INTRODUCTION**

On March 21, 2008, appellant, Jose Madrigal Paz, was convicted of violating Penal Code section 12025, subdivision (a) for carrying a concealed weapon and placed on probation for 36 months. On September 27, 2010, an affidavit was filed alleging appellant violated his probation by committing attempted murder in an unrelated case (Merced Superior Court case No. CRM12907). On February 22, 2012, the trial court terminated appellant's probation in the instant action and sentenced him to two years, to be served concurrently with his sentence of 32 years to life for his convictions in the other action. Appellate counsel has filed a brief seeking independent review of the case by this court pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*).

## **APPELLATE COURT REVIEW**

Appellant's appointed appellate counsel has filed an opening brief that summarizes the pertinent facts, raises no issues, and requests this court to review the record independently. (*Wende, supra*, 25 Cal.3d 436.) The opening brief also includes the declaration of appellate counsel indicating that appellant was advised he could file his own brief with this court. By letter on December 20, 2012, we invited appellant to submit additional briefing. To date, he has not done so.

After independent review of the record, we have concluded there are no reasonably arguable legal or factual issues.

## **DISPOSITION**

The judgment is affirmed.